

**DECISION MEMO**  
**LOSTINE FALLS FISH ENTRAPMENT MITIGATION**  
**U.S. FOREST SERVICE**  
**WALLOWA-WHITMAN NATIONAL FOREST**  
**EAGLE CAP RANGER DISTRICT**  
**WALLOWA COUNTY, OREGON**

### **Location**

The Lostine Falls Fish Entrapment Mitigation project is located approximately eight miles south of Lostine, Oregon. The project would occur on the recreation section of the Lostine Wild and Scenic River.

### **Purpose and Need**

The Lostine Falls Entrapment Mitigation project is intended to reduce the mortality of bull trout and Chinook salmon at Lostine Falls. Lostine Falls is a natural cascade. Chinook salmon and bull trout can be funneled into a pocket pool while attempting to navigate the falls, while migrating to spawning areas upriver. There are two boulders at the top of the falls that funnel salmon and trout into the pocket pool. The pocket pool dries out as flows lower during the late spring/early summer. Nez Perce Tribe fisheries research personnel documented seven adult spring Chinook salmon and 13 adult bull trout mortalities in 2017. Both bull trout and spring Chinook salmon in the Lostine River are listed as threatened species under the Endangered Species Act.

### **Proposed Action**

Oregon Department of Fish and Wildlife is proposing to move the boulders at the head of the falls that divert fish into the pocket pool. Oregon Department of Fish and Wildlife will use a tool called a boulder buster to break the boulders into smaller pieces that can be more easily repositioned. The boulder buster uses a hydraulic shockwave initiated by a shotgun cartridge blank to break large rocks into smaller ones. All equipment needed for the project will be carried in. The project will occur during low flow conditions. Other than moving the two boulders, no other modifications to the falls will occur.

### **Decision and Rationale**

I have considered direction from the Forest Plan. The Forest Plan's goal for Threatened, Endangered and Sensitive Species states; *protect and manage habitat for the perpetuation and recovery of plants and animals which are listed as threatened, endangered, or sensitive*. Forest Plan at 4-30. I concluded the proposed action will manage habitat for the recovery of Endangered Species Act (ESA) listed fish species. This area is designed as Management Area 7 - Wild and Scenic River in

the Wallowa-Whitman National Land and Resource Management Plan, 1990, as amended (Forest Plan).

Additionally, I considered direction from the Lostine Wild and Scenic River Plan (River Plan and Environmental Assessment, both 1993) and determined the proposed action will apply guidance from the River Plan to protect and enhance the river's Outstanding Remarkable Values (ORVs). I concluded the proposed action will have long-term beneficial effects for the ORVs.<sup>1</sup>

The Lostine River Plan gives direction to protect and enhance the values for which the river was classified. The Lostine River Plan establishes scenic, recreation, fisheries, wildlife, and vegetation/botanic as ORVs (Lostine River Plan at 2).

There are no listed ESA plant or animal species or habitat in the project area. Habitat for Steelhead, Spring Chinook Salmon and Bull Trout, all ESA listed fish, are within the project area. The proposed activity will occur outside the migration period.

## CATEGORICAL EXCLUSION CRITERIA

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because:

- 1) the action is a routine action that does not individually or cumulatively have a significant effect on the quality of the human environment,
- 2) the action falls within an established category, that is subject to exclusion from analysis and documentation in an environmental impact statement (EIS) or environmental assessment (EA) under Forest Service Handbook 1909.15, Chapter 32.2 (6), and
- 3) I have determined that there is no cause-effect relationship between the proposed action and the potential effect on any of the resources listed below in Table 1, therefore; no extraordinary circumstances exist.

The category for this proposed action (36 CFR 220.6(e)(19)) states: *Removing and/or relocating debris and sediment following disturbance events (such as floods, hurricanes, tornados, mechanical/engineering failures, etc.) to restore uplands, wetlands, or riparian systems to pre-disturbance conditions, to the extent practicable, such that site conditions will not impede or negatively alter natural processes.*

This category addresses the current issues in the project area, which is to move the boulders at the head of the falls that divert fish into the pocket pool.

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<sup>1</sup> Fisheries is one of the ORVs. The proposed action will have a positive effect on fisheries, while at the same time would not negatively impact any of the other ORVs.

**Table 1. Analysis of Potential Extraordinary Circumstances**

Extraordinary Circumstance to be Evaluated	What is the Effect
Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species	<p><i>PLANTS</i>: The proposed activity will have <b>no effect/no impact</b> to federally listed threatened or endangered plant species or designated critical habitat, species proposed for federal listing, or proposed critical habitat, because none are found in the project area. The proposed activity <b>may impact individuals or habitat</b> of Forest Service sensitive plant species (see following discussion under review of effects), although viability will not be affected.</p> <p><i>WILDLIFE</i>: The proposed activity will have <b>no effect/no impact</b> to federally listed threatened or endangered wildlife species or designated critical habitat, species proposed for federal listing, or proposed critical habitat, or Forest Service sensitive wildlife because none are found in the project area.</p> <p><i>FISH</i>: The proposed activity will have <b>beneficial effect</b> to listed threatened steelhead and designated critical habitat, species proposed for federal listing, and proposed critical habitat. The proposed activity may <b>impact individuals or habitat</b> of Forest Service sensitive aquatic species (see following discussion under review of effects), although viability will not</p>
Floodplains, wetlands, or municipal watersheds	The proposed activity will have <b>no effect</b> on any floodplains, wetlands, or municipal watersheds because none are found in the project area.
Congressionally designated areas such as wilderness, wilderness study areas or national recreation areas	<p>The project activity is not within any wilderness, wilderness study areas, or national recreation areas.</p> <p>The project area is within the designated Recreational Wild and Scenic River. In the long term the proposed actions are designed to have a <b>beneficial effect</b> on the Outstanding Remarkable Values for which this river was designated. The beneficial effects is to fisheries by reducing the mortality of bull trout and Chinook salmon at Lostine Falls.</p>
Inventoried Roadless areas or potential wilderness areas	The proposed activity <b>will not</b> occur within an inventoried roadless or potential wilderness areas.
Research Natural Areas	The proposed activity <b>will not</b> occur within any Research Natural Areas.
American Indians and Alaska Native religious or cultural sites	The proposed activity will <b>not adversely affect</b> American Indian and Alaska Native religious or cultural sites because none were found in the project area.
Archaeological sites, or historic properties or areas	The proposed activity will <b>not adversely affect</b> Archaeological sites, or historic properties or areas, as noted below.

## REVIEW OF EFFECTS

The scale of the Lostine Falls Fish Entrapment mitigation is small, the potential risk of effects to botanical species are minor and localized, and there will be beneficial effects to ESA fish species. Forest

resource specialists reviewed the activities for this project, and concluded that there may be only minor potential effects on the following resources. Proposed design features will reduce potential effects of the project on relevant resources.

### **Botany**

There are no ESA listed plant species in the project area. The small project area does have potentially suitable habitat for Forest Service sensitive plant species. The likely hood of these species being directly adjacent to the broken up boulders is low. The project proposal identifies a need for very light foot traffic to install the rock busting equipment, thus the potential for trampling impacts to plant species in the area is very low. The Lostine Falls Project May Impact Individual Regional Sensitive plant species but will not likely contribute toward federal listing or loss of viability to the population or species.

### **Water Resources**

Effects to surface water quality (water temperature, water clarity), channel complexity (pools, woody debris jams), stream flow are not expected because other than moving the two boulders, no other modifications to the falls will occur.

### **Aquatic Species**

Beneficial effects to ESA listed fish species are anticipated. No impacts redband trout and Pacific lamprey are anticipated. Effects will be minimal due the use of the boulder buster to break up the boulders and the timing of implementation for the project to avoid when fish are actively migrating over the falls. The Lostine Falls Project May Impact Individual shortface lanx but will not likely contribute toward federal listing or loss of viability to the population or species.

## **PUBLIC INVOLVEMENT**

A scoping letter was sent to interested and affected individuals and organizations on March 11, 2020. In addition the project was discussed at the quarterly coordination meetings with the Nez Perce Tribe on February 5th, 2020 and letters were sent to Nez Perce Tribe and Confederated Tribes of the Umatilla Indian Reservation on March 4, 2020. This action was listed as a proposal on the Wallowa-Whitman National Forest Schedule of Proposed Actions and was posted to the site on March 2, 2020. No scoping comments were received.

## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

In making my decision I concluded that the project is consistent with the Wallowa-Whitman Forest Plan, as amended, and applicable federal and state laws for protection of the environment. The analysis concluded that only minimal impacts to resources may occur, and therefore no extraordinary circumstances exist.

## ADMINISTRATIVE REVIEW OPPORTUNITIES AND IMPLEMENTATION

This decision is not subject to pre-decisional review (objection), pursuant to 36 CFR 218.1. The work window for implementing the project is from September 15 to November 15, 2020.

## CONTACT

For additional information concerning this decision, contact: Alan Miller (Fisheries Biologist), PO Box 905 Joseph, OR 97846, 541-426-5682, [alan.miller@usda.gov](mailto:alan.miller@usda.gov).

/s/ Kris Stein

04/20/2020

KRIS STEIN

Date

District Ranger

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